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January 8, 2020

Lisa A. Vest
Department of Natural Resources and Environmental Control
Office of the Secretary
89 Kings Highway
Dover, DE 19901

Re: Allen Harim Foods Permit Application to Transport Other Non-Hazardous Liquid Waste
Docket # 2019-P-W-0030

Madam Hearing Officer:

I am a resident of Sussex County, living in an unincorporated part of the county that is designated as Milton. I am also employed on a full time basis in Millsboro, Delaware. I have lived in Delaware for just over 20 years. I am opposed to the pending application and ask that DNREC take my comments and opposition, as well as those of other community members seriously and with an open mind.

The pending application seeks the issuance of "a permit to transport non-hazardous liquid waste (poultry wash water) to the Allen Harim Harbeson Wastewater Treatment Plant."

1. The source of the "non-hazardous liquid waste" sought to be transported is the wash down water from the Allen Harim Dagsboro Hatchery. That effluent is currently discharged to an on-site 150,000 gallon lagoon. Allen Harim was found by DNREC to have violated its permit regarding wastewater from the Dagsboro Hatchery in 2016 and 2017, exceeding the nitrogen loading limits by 612.3 and 147.9 pounds per acre, respectively, causing groundwater to be in violation of standards. Groundwater monitoring showed the nitrogen levels at nearly three times the legal limit. DNREC documentation showed the violations "appear to be related to the use of high ammonia chemicals, process overloads, and various other circumstances." As a result of these findings, Allen Harim entered into a Conciliation Order by Consent (Secretary's Order 2018-W-0057) on October 30, 2018. Under the terms of that Order, Allen Harim was assessed an administrative penalty of \$300,000.00 and was ordered to re-pay DNREC \$7,888.00 in expenses.

Because of the violations, Allen Harim terminated all spray irrigation activities at the Dagsboro Hatchery and the Order provided that Allen Harim was to connect to the Sussex County Waste Water Treatment Facility. Plans were noted as having been submitted to and under review with Sussex County, with an expected completion date 12 months from receipt of approvals.

I have spoken this week with Sussex County Engineer, Hans Medlarz, regarding the status of that connection to the county wastewater facility. He indicated that there is a serious issue of concern regarding the use of quaternary ammonia used as a disinfectant in the hatchery. The extremely high levels of this ammonia in the wastewater result in an extreme risk to the viability of the entire system. Every wastewater treatment facility depends on the presence of microorganisms to permit the system to function as intended. The problem with excess levels of quaternary ammonia is that it is so effective as a disinfectant that there is a risk of destroying what actually makes the system functional.

Due to the level of ammonia in the wastewater, according to County Engineer Medlarz, the county has not agreed to accept the wastewater. It apparently presents a hazard to the viability of the county's waste water treatment facility.

It is inconceivable that, if the "non-hazardous" wastewater from the hatchery is too hazardous for the county's system, it can simply be re-routed with DNREC's approval, to the Allen Harim poultry processing facility.

2. If there is a valid Consent Order in effect, without an application or hearing on the modification of that Order, Allen Harim should not be permitted to simply send the non-compliant waste to another facility and circumvent the requirements of the Order. I am aware of no application to modify the Consent Order.

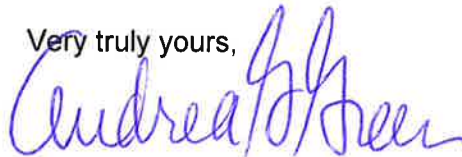
3. What is proposed in this application appears to violate Allen Harim's existing NPDES permit issued in 2015. Pursuant to Secretary's Order No. 2015-W-0046 and the permit issued thereunder, Allen Harim is obligated to notify DNREC of any anticipated expansion or alteration of the facility in the event of any "process modifications, or other changes which could result in new, different or increased discharges of pollutants." The permit specifically identifies the addition of discharge that "is or could be substantially different from that represented in the application originally submitted for the discharge(s) authorized herein, upon which this permit is based..." Without the operational permit for the Harbeson facility being amended, the transport of the hatchery wastewater must be denied.

4. The wastewater from the Harbeson facility currently discharges into Beaverdam Creek. If the ammonia level is too high, even if the entire system is not endangered or destroyed, the wastewater would result in non-compliant wastewater being discharged into Beaverdam Creek.

5. It also must be stressed that the Harbeson facility is a poultry processing facility. It is not a Publicly Owned Treatment Works, despite Allen Harim's efforts to divert various streams of effluent to the facility. Wastewater from both the Harbeson processing and the Millsboro deboning facility are directed to the treatment facility. Addition of the hatchery wastewater adds a new and potentially dangerous element to the equation.

For the reasons stated above Allen Harim Foods' application should be denied.

Very truly yours,



Andrea G. Green